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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,596	11/21/2003	Ayae Endo	117625	8683
25944 7590 12/20/2007 OLIFF & BERRIDGE, PLC P.O. BOX 320850 ALEXANDRIA, VA 22320-4850			EXAMINER GARRETT, DAWN L	
			ART UNIT 1794	PAPER NUMBER
			MAIL DATE 12/20/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/717,596	<b>Applicant(s)</b> ENDO ET AL.	
	<b>Examiner</b> Dawn Garrett	<b>Art Unit</b> 1794	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 29 and 38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 29 and 38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. This Office action is responsive to the amendment filed October 4, 2007. Claims 1-28, 30-37, 39 and 40 are cancelled. Claims 29 and 38 were amended and are pending.
2. The rejection of claims 19, 39, and 40 under 35 U.S.C. 112, first paragraph, set forth in the last Office action (mailed August 6, 2007) is withdrawn due to the amendment.
3. The rejection of claims 19, 39, and 40 under 35 U.S.C. 112, second paragraph, set forth in the last Office action (mailed August 6, 2007) is withdrawn due to the amendment.
4. The rejection of claims 27-29 and 38 under 35 U.S.C. 102(b) as being anticipated by Watanuki et al. (JP 07-135079 A) is withdrawn due to the amendment.
5. The rejection of claims 19, 39 and 40 under 35 U.S.C. 103(a) as being unpatentable over Watanuki et al. (JP 07-135079 A) is withdrawn due to the amendment.

### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 29 is rejected under 35 U.S.C. 102(b) as being anticipated by Kanai et al. (US 6,121,727). Kanai et al. discloses a device according to Figure 1 wherein the organic electroluminescent device comprises an anode (2) (which reads upon a pixel electrode), a luminescent layer region (3) (which reads upon the luminescent layer), a cathode interface layer (4) directly adjacent the luminescent layer and between the luminescent layer and cathode (which reads upon a layer with a metal deactivator), and a cathode (5) (see Figure 1 and description). The cathode buffer layer is described as preventing metal cathode material from diffusing into the luminescent layer (see col. 2, lines 20-21, col. 8, lines 1-4, and entire document). Accordingly, the cathode buffer layer is deemed to be a metal deactivator. The devices further include an "anode buffer layer" between the luminescent layer and the anode, which reads upon the "hole injection layer". Kanai et al. discloses this anode buffer layer may be preferably comprised of phthalocyanine material and the location of the layer is the same as a hole injecting layer as known in the art (as evidenced by Hung et al. US 6,137,223, see col. 13, lines 48-49). Even though Kanai et al. has described the layer by a different name, it is deemed to be the same as a hole injection layer.

8. Claims 29 and 38 rejected under 35 U.S.C. 102(b) as being anticipated by Kido et al. (US 6,396,209). Kido et al. discloses electroluminescent devices comprising an anode ("pixel electrode"), a hole injection layer, a luminescent layer, an electron injection mixed layer, and a cathode (see col. 5, lines 13-16). The electron injection mixed layer reads upon a metal deactivator layer, because the layer is described as reducing metal ions (see abstract). Metal chelated compounds are specifically

described (see col. 5, line 62-col. 6, line 9). With respect to claim 38, Kido et al. discloses that organic electroluminescent devices can be utilized in a planar light source or display device (see col. 1, lines 7-10).

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kanai et al. (US 6,121,727) in view of Kido et al. (US 6,396,209). Kanai et al. clearly teaches the device of claim 29, but does not specify how the device is incorporated into an apparatus. Kido et al. teaches in analogous art that organic electroluminescent devices can be utilized in a planar light source or display device (see col. 1, lines 7-10). It would have been obvious to have used the device of Kanai et al. as part of an apparatus, because Kido et al. teaches it is well known to incorporate organic electroluminescent devices into a light display or planar light source and one would expect the Kanai et al. devices to be similarly useful as part of an apparatus incorporating EL devices.

***Response to Arguments***

11. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dawn Garrett whose telephone number is (571) 272-1523. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Milton Cano can be reached on (571) 272-1398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dawn Garrett/

Dawn Garrett  
Primary Examiner  
Art Unit 1794